

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 01-349
Table of Allotments,)	RM-10350
FM Broadcast Stations.)	
(Boscobel, Wisconsin))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: March 6, 2002

Released: March 15, 2002

By the Chief, Allocations Branch:

1. In response to a petition filed by Starboard Broadcasting, Inc. ("Starboard"), the Commission has before it for consideration the Notice of Proposed Rule Making, 17 FCC Rcd 108 (2001), requesting the allotment of Channel 244C3 at Boscobel, Wisconsin, as the community's first local transmission service. Starboard filed comments supporting the allotment of Channel 244C3 at Boscobel.¹ No other comments were received in response to the Notice in this proceeding.

2. We believe the public interest would be served by allotting Channel 244C3 to Boscobel, Wisconsin, as it will provide the community with its first local broadcast service. Starboard provided information showing that Boscobel is a community for allotment purposes, deserving its own transmission service.² Channel 244C3 can be allotted to Boscobel in compliance with the minimum distance separation requirements of the Commission's Rules without a site restriction.³

¹ Starboard's comments were late filed with a request to accept its comments. In accordance with Commission policy, the comments will be accepted for the purpose of expressing continuing interest in the proposal since the proceeding is uncontested. See Santa Isabel, Puerto Rico, 3 FCC Rcd 2336 (1988), aff'd, 4 FCC Rcd 3412 (1989); aff'd, sub nom. Amor Family Broadcasting v. FCC, 918 F.2d 960 (D.C. Cir 1990).

² As stated in the Notice, Boscobel has a population of 3,047 people according to the 2000 census, is an incorporated community located in Grant County and has its own local government. Boscobel has its own post office and zip code (53805), municipal airport, school system, volunteer fire department and municipal utilities. Boscobel has numerous parks, churches, major employers and retail shops located in the community which serve local residents and visitors.

³ The coordinates for Channel 244C3 at Boscobel are 43-08-04 NL and 90-42-19 WL.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective April 29, 2002, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

Community	Channel Number
Boscobel, Wisconsin	244C3

4. A filing window for Channel 244C3 at Boscobel, Wisconsin, will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process for Channel 244C3 at Boscobel, Wisconsin, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau